

HOUSE No. 3329

Message from His Excellency the Governor recommending legislation relative to authorizing the town of Milton to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises of a certain restaurant. March 15, 2013.

The Commonwealth of Massachusetts



DEVAL L. PATRICK
GOVERNOR

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EXECUTIVE DEPARTMENT
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March 15, 2013.

To the Honorable Senate and House of Representatives:

Pursuant to the provisions of Article II, Section 8, Paragraph 1, Clause (2) of the Amendments to the Constitution, as amended by Article LXXXIX, I am filing for your consideration the attached legislation entitled, "An Act Authorizing the Town of Milton to Issue an Additional License for the Sale of All Alcoholic Beverages to be Drunk on the Premises of a Certain Restaurant."

The Milton Board of Selectmen, with support of the sponsor, Senator Brian Joyce, has requested that I file this special legislation on behalf of the Town. At a Milton Special Town Meeting in May 2011, the Milton Board of Selectmen was authorized to submit a home rule petition to enact the enclosed legislation, which would permit the town licensing authority to issue a liquor license to be used at the restaurant located at 95 Eliot Street in Milton. The General Court accepted this legislation but did not take final action to pass it in the 187th session. The Milton Board of Selectmen supports the business of this restaurant as an important element of Milton's economic development plan.

I urge your early and favorable consideration of this bill.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Deval Patrick", written over a horizontal line.

DEVAL L. PATRICK,
Governor.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen.

An Act authorizing the town of Milton to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises of a certain restaurant.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding the provisions of section 11 and 17 of chapter 138 of the
2 General Laws, the licensing authority of the town of Milton may grant an additional license for
3 the sale of all alcoholic beverages to be drunk on the premises of the restaurant located at 95 Eliot
4 Street, which is owned by Daniel P. Kerrigan or his successor in interest, provided that any
5 successor in interest shall be subject to approval by the Milton Board of Selectmen and the
6 Alcoholic Beverages Control Commission; provided however, that an application to transfer the
7 license to a successor in interest shall be granted and approved according to the standard for a
8 new license; and provided further that all the procedures set forth under section 15A of chapter
9 138 shall be applicable thereto. The license shall be subject to all of said chapter 138, except said
10 section 17. The licensing authority shall not approve the transfer of the license to any other
11 location.

12 SECTION 2. All actions taken by the licensing authority of the town of Milton issuing a
13 license for the sale of all alcoholic beverages to be drunk on the premises to Milton's Opus, LLC,
14 Daniel Kerrigan license manager are hereby ratified, validated, and confirmed in all respects as
15 though this act had been in full force and effect at the time of said actions."

16 SECTION 3. This act shall take effect upon its passage.